



LAP15 Rec'd PCT/PTO 19 JUN 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Anthony CHAN et al.

Serial No.: 10/530,310

Examiner: Unknown

Filing Date: April 4, 2005

Group Art Unit: Unknown

For: RESIDENTIAL COMPRESSOR FOR REFUELING MOTOR
VEHICLES THAT OPERATE ON GASEOUS FUELS

Docket No.: 19525/102/101

TRANSMITTAL SHEET

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE UNDER 37 C.F.R. 1.8: I hereby certify that this correspondence
and the documents described herein
are being deposited with the United States Postal Service on the date shown below
with sufficient postage as first class mail in an envelope addressed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15th day

June of 2006

By _____

Carolyn I. Erickson

We are transmitting herewith the attached:

- ☐ A check in the amount of \$ _____ is enclosed.
- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established.
- ☒ Other: RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE; Copy of NOTIFICATION OF DEFECTIVE RESPONSE dated May 15, 2006; Copy of NOTIFICATION OF THE RECORDING OF A CHANGE in accordance with PCT Rule 92bis.1.
- ☒ Please charge any deficiencies or credit any over payment in the enclosed fees to Deposit Account 14-0620.

By: _____

Lawrence M. Nawrocki

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P A T E N T

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RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an enveloped addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 15th day of June, 2006

By: _____

Carolyn I. Erickson

Sir:

This paper is being forwarded in response to a NOTIFICATION OF DEFECTIVE RESPONSE issued by the United States Patent and Trademark Office with regard to the matter captioned above. That NOTIFICATION OF DEFECTIVE RESPONSE was dated May 15, 2006. Consequently, a response is due by June 15, 2006.

In the NOTIFICATION of May 15, the Office advised that the Oath or Declaration of the Inventors was not in compliance with 37 CFR § 1.497(a) and (b) in that the current oath or declaration did not identify Inventor No. 6 (MOJSOV, Tome) and that it was not executed

by Mr. MOJSOV. Further, the NOTIFICATION required that a copy of the NOTIFICATION be returned with the response.

The originally-filed PCT Request identified in Box No. II and Box No. III where the inventors are identified, six separate inventors including "MOJSOV, Tome". Consequently, when action was taken to reduce the matter to the national stage in the United States on April 4, 2005 a Declaration identifying all six inventors was filed, even though, in view of the time by which the matter had to be reduced to the U.S. national stage, none of the inventors executed the document.

Unbeknownst to the undersigned, however, prior to the filing of the unsigned Declaration, a determination was made that inventor "MOJSOV, Tome" was not, in fact, an inventor and should never have been so designated. The Canadian attorney who filed the PCT application had, therefore, filed a NOTIFICATION OF THE RECORDING OF A CHANGE in accordance with PCT Rule 92bis.1 deleting "MOSJOV, Tome" as an inventor. That NOTIFICATION OF THE RECORDING OF A CHANGE was filed on March 1, 2004.

After the filing of the unsigned Declaration, a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) was issued. The date of issue was January 5, 2006. The "MISSING REQUIREMENTS" document required that a properly executed oath or declaration be filed. In responding to the "MISSING REQUIREMENTS" document, a Declaration having only the five proper inventors was filed. It is submitted that this was an

appropriate response in view of Inventor MOJSOV, Tome having previously been deleted as an inventor at the PCT level.

Transmitted herewith is a copy of the NOTIFICATION OF THE RECORDING OF A CHANGE document by which Inventor MOJSOV, Tome was deleted as an inventor. In view of the action taken by this paper, it is sincerely believed that the position taken by the United States Patent and Trademark Office with respect to the executed Declaration was improper and should now be withdrawn. It is requested that Applicant be so informed and that this matter proceed.

Please charge any deficiencies or credit any overpayment to Deposit Account No. 14-0620. .

Respectfully submitted,

Anthony CHAN et al.

By their attorney,

Dated: June 15, 2006

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

PCT

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/530,310	Anthony Chan	19525/102/101

INTERNATIONAL APPLICATION NO.	
PCT/CA03/01475	
I.A. FILING DATE	PRIORITY DATE
10/06/2003	10/04/2002

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DOCKETED

MAY 22 2006

Lynda Eberhard

CONFIRMATION NO. 3630

371 FORMALITIES LETTER



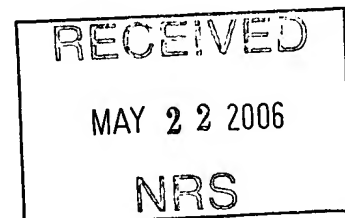
OC000000018771540

Date Mailed: 05/15/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 04/04/2005
- Copy of the International Search Report filed on 04/04/2005
- Copy of IPE Report filed on 04/04/2005
- Preliminary Amendments filed on 04/04/2005
- Oath or Declaration filed on 04/07/2006
- Request for Immediate Examination filed on 04/04/2005
- U.S. Basic National Fees filed on 04/04/2005
- Priority Documents filed on 04/04/2005
- Specification filed on 04/04/2005
- Claims filed on 04/04/2005
- Abstracts filed on 04/04/2005
- Drawings filed on 04/04/2005



Applicant's response filed 04/07/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 01/05/2006 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - Inventor #6 not on Declaration

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR

1.133, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,310	PCT/CA03/01475	19525/102/101

FORM PCT/DO/EO/916 (371 Formalities Notice)